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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/438,515	11/12/1999	YASUHIRO TABATA	0557-4730-2-	9469

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EXAMINER

WALLERSON, MARK E

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/438,515

Applicant(s)

Tabata

Examiner

Mark Wallerson

Art Unit

2622



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 8, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-45 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 08/786,643.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ | 6) <input type="checkbox"/> Other: |

Art Unit: 2622

Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on **9/6/2002**.
2. This application has been reconsidered. Claims 18-45 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 34-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Kageyama (U. S. 5,625,757).

With regard to claims 34, 37, 40, and 43, Kageyama discloses a server (300) connected to a network (10) having a client computer (11) and a plurality of image forming apparatuses (1), comprising storing means (7200) for storing information items associated with the image inherent to each of the image forming apparatuses; receiving means for receiving requirements for image forming from the client (column 16, lines 56-59); means for performing a search for image forming apparatuses satisfying the requirements from among the plural image forming apparatuses and researching the search to the client (column 16, lines 56-62); receiving a user selection from

Art Unit: 2622

the client for selecting one image forming apparatus based on the result (column 16, lines 61-64), and transmitting to the client information items associated with image forming inherent to the selected image forming apparatus (column 24, lines 16-35); receiving from the client user instructions corresponding to the information items associated with the selected image forming apparatus (column 34, lines 36-48), and sending an image forming execution instruction to the image forming apparatus (column 24, line 49 to column 25, line 10).

With respect to claims 35, 38, 41, and 44, Kageyama discloses including an installation location of the image forming apparatuses in the search result (column 23, lines 1-6 and column 29, lines 15-20).

With respect to claims 36, 39, 42, and 45, Kageyama discloses reporting the results of the image forming apparatuses partly satisfying the requirements in an order of decreasing number of information items satisfying the requirements (which reads on displaying the printers in accordance with the registration order) (column 22, line 59 to column 23, line 6, column 24, lines 26-35).

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2622

6. Claims 34, 36, 37, 39, 40, 42, 43, and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Sugishima (U. S. 5,768,516).

With regard to claims 34, 37, 40, and 43, Sugishima discloses a server (network management apparatus) connected to a network (16) having a client computer (12) and a plurality of image forming apparatuses (13 and 15), comprising storing means (figure 4) for storing information items associated with the image inherent to each of the image forming apparatuses; receiving means for receiving requirements for image forming from the client (column 1, lines 39-43); means for performing a search for image forming apparatuses satisfying the requirements from among the plural image forming apparatuses and researching the search to the client (column 1, lines 45-49); receiving a user selection from the client for selecting one image forming apparatus based on the result (column 4, lines 1-33), and transmitting to the client information items associated with image forming inherent to the selected image forming apparatus (column 4, lines 12-17); receiving from the client user instructions corresponding to the information items associated with the selected image forming apparatus (column 8, lines 12-37), and sending an image forming execution instruction to the image forming apparatus (column 8, lines 12-37).

With respect to claims 36, 39, 42, and 45, Sugishima discloses reporting the results of the image forming apparatuses partly satisfying the requirements in an order of decreasing number of information items satisfying the requirements (figure 4).

Art Unit: 2622

Claim Rejections - 35 USC § 103

7. Claims 18-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kageyama (U. S. 5,625,757) in view of Webb (U. S. 5,727,135).

With respect to claims 18 and 26, Kageyama discloses a network control system comprising a computer network (figure 1); a plurality of image forming apparatuses (17 and 18) connected to the computer network (10), each image forming apparatus configured to record an image on a recording paper; a server (14, 15, or 16) connected to the network and configured to store information items of the plurality of image forming apparatuses (column 16, lines 54-67); a computer (11, 12, or 13) connected to the network, comprising a computer display (figure 3) configured to display the information items stored in the server (column 16, line 54 to column 17, line 8), and an input device (keyboard) configured to input data into the computer, the computer configured to select the image forming apparatus for recording the image by an operator selecting the information items displayed (column 16, line 54 to column 17, line 8).

Kageyama differs from claims 18 and 26 in that he does not clearly disclose storing a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network.

Webb discloses a print system that allows a user to access a functional replica of the operational panel of a printer available to a host (column 3, lines 56-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kageyama to store a graphic layout of an operation panel of all of the plurality of image forming

Art Unit: 2622

apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Kageyama by the teaching of Webb in order to allow the user to monitor the status of multiple printers at the same time from the host display as disclosed by Webb in column 4, line 66 to column 5, line 5).

With respect to claims 19 and 27, Kageyama discloses the information items include an installation location of the image forming apparatuses (column 29, lines 15-24).

With regard to claims 20, 21, 28, and 29, Kageyama discloses the information items include machine model, presence of specification data and existence of malfunctions in the image forming apparatus (column 16, line 54 to column 17, line 24).

With respect to claims 22-25 and 30-33, Kageyama discloses storing the layout of an operation panel for each image forming apparatus (column 34, line 66 to column 35, line 8).

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 18, 20, 21, 26, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugishima (U. S. 5,768,516) in view of Webb.

With respect to claims 18 and 26, Sugishima discloses a network control system comprising a computer network (figure 1); a plurality of image forming apparatuses (11, 13, and

Art Unit: 2622

15) connected to the computer network (16), each image forming apparatus configured to record an image on a recording paper (column 3, lines 12-18); a server (which reads on a system management apparatus) (10) connected to the network and configured to store information items of the plurality of image forming apparatuses (column 4, lines 9-12); a computer (12) connected to the network, comprising a computer display (figure 1) configured to display the information items stored in the server (column 4, lines 9-33), and an input device (keyboard) configured to input data into the computer, the computer configured to select the image forming apparatus for recording the image by an operator selecting the information items displayed (column 4, lines 12-17).

Sugishima differs from claims 18 and 26 in that he does not clearly disclose storing a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network.

Webb discloses a print system that allows a user to access a functional replica of the operational panel of a printer available to a host (column 3, lines 56-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima to store a graphic layout of an operation panel of all of the plurality of image forming apparatuses connected to the computer network. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima by the teaching of Webb in order to allow the user to monitor the status of multiple printers at the same time from the host display as disclosed by Webb in column 4, line 66 to column 5, line 5).

Art Unit: 2622

With regard to claims 20, 21, 28, and 29, Sugishima discloses the information items include machine model, presence of specification data and existence of malfunctions in the image forming apparatus (column 8, lines 22-37).

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 35, 38, 41, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugishima in view of Ooki (U. S. 5,991,846).

mw With respect to claims ^{35, 38, 41 & 44} ~~19 and 27~~, Sugishima differs from claims 35, 38, 41, and 44 in that he does not clearly disclose the information items include an installation location of the image forming apparatuses.

Ooki discloses an information processing system wherein information pertaining to the location of printers is stored in a server (102) and displayed to a user (column 7, lines 4-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima wherein the information items include an installation location of the image forming apparatuses. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima by the teaching of Ooki in order to allow the user to easily select a preferable printer as discloses by Ooki in column 1, lines 55-58.

Art Unit: 2622

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 19 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sugishima in view of Webb as applied to claims 18 and 25 above, and further in view of Ooki (U. S. 5,991,846).

With respect to claims 19 and 27, Sugishima as modified differs from claims 19 and 27 in that he does not clearly disclose the information items include an installation location of the image forming apparatuses.

Ooki discloses an information processing system wherein information pertaining to the location of printers is stored in a server (102) and displayed to a user (column 7, lines 4-16). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima wherein the information items include an installation location of the image forming apparatuses. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima by the teaching of Ooki in order to allow the user to easily select a preferable printer as discloses by Ooki in column 1, lines 55-58.

Art Unit: 2622

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 22-25 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugishima in view of Webb (U. S. 5,727,135).

With respect to claims 22-25 and 30-33, Sugishima differs from claims 22-25 and 30-33 in that he does not clearly disclose storing the layout of an operation panel for each image forming apparatus.

Webb discloses a communication system wherein a remote user is able to view the operation panel of remote printers (the abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima to display the operation panel of the image forming apparatuses. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Sugishima by the teaching of Webb in order to easily provide status of the printers to the host.

Response to Arguments

16. Applicant's arguments with respect to claims 18-33 are have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2622

Conclusion

17. All claims are rejected.

18. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Wallerson whose telephone number is (703) 305-8581.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 872-9314 (for formal communications intended for entry)

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

Application/Control Number: 09/438,515

Page 12

Art Unit: 2622

or hand-carried to:

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MARK WALLERSON
PRIMARY EXAMINER

Mark Wallerson